

NELLSON, Edward

Reg. No. 31408-007

Appeal No. 928154-R1

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Part B - Response

You appeal the response of the Warden at USP Canaan and contend you are not receiving appropriate medical treatment for a head and shoulder injury. You claim you were denied medical treatment at your previous facility and claim Medical staff falsified your medical records. You request a neurology consultation, reprimand for staff involved, and a transfer to another facility. You also request monetary compensation.

A review of your appeal reveals the Warden adequately addressed your concerns. According to your medical record, you have been evaluated numerous times for this complaint at USP Canaan and at your previous facility. On March 5, 2018, you were evaluated during a follow-up encounter for right shoulder pain. Your physical exam revealed moderate tenderness with a mild spasm noted in the right trapezius muscle, otherwise your examination was within normal limits. An injection was ordered, and you were instructed on strengthening exercises. You were advised to follow-up in four to six weeks, and no further treatment was indicated. On March 15, 2018, you were evaluated for intermittent tremors. Your medical records were reviewed, and your examination was consistent with possible traumatic encephalopathy. Your upcoming physical therapy consultation was noted, as well as the pending magnetic resonance imaging (MRI) scans of your brain and c-spine. You were prescribed Carbidopa, and a neurology consultation was submitted for further evaluation. Your neurology consultation is currently pending review and approval. You will be notified once a decision is made. According to your medical record, your medical conditions are being appropriately treated at your current facility and you do not meet the criteria for transfer at this time. After further review, there is no evidence to support your claim of falsified medical records at your previous institution. In addition, you cannot seek monetary compensation through the Administrative Remedy process. If you believe you have suffered an injury and are entitled to compensation, you may consider filing a tort claim pursuant to 28 C.F.R. § 543.31, subpart C, and Program Statement 1320.06, Federal Tort Claims Act. Accordingly, your appeal is denied.

If you are dissatisfied with this response, you may appeal to the General Counsel, Federal Bureau of Prisons. Your appeal must be received in the Administrative Remedy Section, Office of General Counsel, Federal Bureau of Prisons, 320 First Street, N.W., Washington, D.C. 20534, within 30 calendar days of the date of this response.

Date: April 11, 2018


M.D. CARVAJAL
Regional Director